

**6054. Adulteration and misbranding of ginger and brandy cordial. U. S. \* \* \* v. Fialla & Eppler (Inc.), a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 8608. I. S. No. 1563-m.)**

On January 17, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fialla & Eppler (Inc.), a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on March 1, 1917, from the State of New York into the State of Pennsylvania, of a quantity of an article labeled in part, "Triumph Brand Ginger and Brandy Cordial," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 liters to 100 proof unless otherwise stated:

Proof .....	48.8
Total acids as acetic.....	24.6
Esters as ethyl acetate .....	10.8
Aldehydes as acetaldehyde .....	9.8
Furfural: Trace.	
Fusel oil .....	12.7

The analysis shows the product to contain neutral spirits, and to have a very little, if any, brandy present.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, neutral spirits, had been substituted in whole or in part for ginger and brandy cordial, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Ginger and Brandy Cordial," borne on the labels attached to the bottles, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was ginger and brandy cordial, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was ginger and brandy cordial, whereas, in truth and in fact, it was not, but was a product composed in whole or in part of neutral spirits. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not placed or conspicuously marked on the outside of the package.

On January 30, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

CARL VROOMAN, *Acting Secretary of Agriculture.*